

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs, and

PUYALLUP TRIBE OF INDIANS, *et al.*,

Plaintiff-Intervenors,

v.

ELECTRON HYDRO, LLC, and  
THOM A. FISCHER,

Defendants.

Case No. 2:20-cv-01746-JCC

**[PROPOSED]** ORDER  
GRANTING UNOPPOSED  
MOTION TO AMEND CASE  
SCHEDULE

NOTE ON MOTION CALENDAR:  
**May 31, 2022**

Plaintiff the United States of America moved the Court for entry of an Order extending the current deadline to propound written discovery by fifteen days. Defendants Electron Hydro, LLC and Thom A. Fischer and Plaintiff-Intervenor the Puyallup Tribe of Indians joined this motion, and Plaintiff-Intervenors Communities for a Healthy Bay and Puget Soundkeeper

Alliance do not oppose the motion. The Court hereby GRANTS the motion for good cause shown. The Parties shall comply with the following case schedule:

1. By March 31, 2022, the Parties shall join any additional parties.
2. By July 30, 2022, the Parties shall complete Fact Discovery. All discovery requests (interrogatories, requests for production, notices of depositions, etc.) shall be propounded at least 45 days before the end of fact discovery, in accordance with the applicable federal rules, to increase the likelihood that such discovery can be completed before the cut-off date of July 30, 2022.
3. On or before August 15, 2022, the Parties shall submit names and expected areas of testimony for each expert witness.
4. On or before September 29, 2022, Plaintiffs shall submit expert reports under Rule 26(a)(2) of the Federal Rules of Civil Procedure.
5. On or before November 15, 2022, Defendant shall submit expert reports under Rule 26(a)(2) of the Federal Rules of Civil Procedure.
6. On or before December 15, 2022, Plaintiffs and Defendant shall submit rebuttal expert reports.
7. The Parties shall conduct expert witness depositions beginning on or before January 1, 2023. Depositions of expert witnesses shall be complete by March 3, 2023.
8. On or before April 1, 2023, the Parties shall file any dispositive motions; motions and briefs in opposition shall be filed on or before May 15, 2023; replies thereto shall be filed on or before June 16, 2023.
9. The Parties shall file a joint proposed pretrial order on or before July 27, 2023.

1 10. Proposed findings of fact and conclusions of law shall be filed by each party by  
2 August 1, 2023.

3 11. Trial briefs shall be filed by each party by August 3, 2023.

4 12. Bench trial in this matter shall commence on August 7, 2023 at 9:30 a.m. in  
5 Courtroom 16206 before U.S. District Judge John C. Coughenour.

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7 IT IS SO ORDERED.

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9 DATED this 31st day of May 2022.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE